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16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN FRANCISCO DIVISION

19 NETWORK CACHING TECHNOLOGY,  
20 L.L.C.,

21 Plaintiff,

22 v.

23 NOVELL, INC., VOLERA, INC.,  
24 AKAMAI TECHNOLOGIES, INC.,  
25 CACHEFLOW, INC., AND INKTOMI  
26 CORPORATION

27 Defendants.

Case No. CV-01-2079 (VRW)

**REPLY TO COUNTERCLAIMS  
OF AKAMAI TECHNOLOGIES, INC.**

28 Plaintiff - Counterclaim Defendant Network Caching Technology, L.L.C. ("NCT") replies  
to the Counterclaims of Defendant - Counterclaim Plaintiffs Akamai Technologies, Inc.  
("Akamai") as follows:

**Counterclaims**

**The Parties**

1. Admitted.
2. Admitted.

**Jurisdiction**

3. Admitted.
4. Admitted.

**Existence of an Actual Controversy**

5. Admitted.
6. Admitted.
7. Plaintiff NCT is without sufficient information or knowledge to ascertain the time at which Akamai and/or any of its customers became aware of any of the patents-in-suit. NCT admits that it did not notify Akamai of its infringement prior to filing suit.

**Invalidity of the '049, '914, '452 and/or '234 Patents**

8. Denied.

**Non-Infringement of the '049, '914, '452 and/or '234 Patents**

9. Denied.

Wherefore, Plaintiff - Counterclaim Defendant NCT requests that this Court enter judgment in its favor and against Defendant - Counterclaim Plaintiff Akamai as follows:

1 (a) Granting the relief requested by NCT in its amended complaint, including, *inter*  
2 *alia*, a declaration that the '049, '914, '452 and '234 patents are valid and infringed  
3 by Akamai.

4  
5 (b) Such other relief as the Court deems proper.

6 Dated: October 30, 2001

Respectfully submitted,

7 JONES, DAY, REAVIS & POGUE

8  
9 By: /s/ Blaney Harper

10 Blaney Harper

11 Attorneys for Plaintiff  
12 NETWORK CACHING TECHNOLOGY,  
13 L.L.C.